

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SOFTWARE RESEARCH, INC.,
Plaintiff,
v.
BROWSERSTACK, INC.,
Defendant.

Case No. 21-cv-08124-JST

SCHEDULING ORDER

The Court hereby sets the following case deadlines pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-10:

Event	Deadline
Deadline to add parties or amend the pleadings ¹	June 1, 2022
Mediation deadline	June 1, 2022
Claim construction discovery cut-off	August 31, 2022
Claim construction opening brief	September 22, 2022
Claim construction responsive brief	October 13, 2022
Claim construction reply brief	October 27, 2022
Tutorial	November 7, 2022 at 2:00 p.m.
Claim construction hearing	December 5, 2022 at 1:30 p.m.

¹ After this deadline, a party may still seek amendment, but must demonstrate good cause. Fed. R. Civ. P. 16(b)(4).

1 This case is referred to private mediation.

2 Counsel may not modify these dates without leave of court. The parties shall comply with
3 the Court's standing orders, which are available at <https://cand.uscourts.gov/judges/tigar-jon-s-jst/>.

4 The parties shall meet and confer regarding the format, scope, and content of both the
5 tutorial and the claim construction hearing, including but not limited to the permissible subjects of
6 discussion at each, whether experts will testify, and what audio-visual equipment, if any, will be
7 needed by the parties. They also shall exchange copies of any audio-visual material at least **ten**
8 **court days** before they intend to use it in court, and shall bring any disputes regarding the format,
9 scope, or content of any tutorial or hearing to the Court's attention at least **five court days** before
10 the tutorial or hearing. The Court will deem as waived any objection raised less than five court
11 days before the tutorial or hearing. The parties shall lodge hard copies of their presentation
12 materials with the Court on the day of the tutorial or claim construction hearing.

13 The Court will reserve no more than ninety minutes on its calendar for the tutorial,
14 including a brief recess. The tutorial will not be reported by a court reporter.

15 At claim construction, the Court will construe only the terms the parties identify in their
16 Joint Claim Construction and Prehearing Statement as "most significant to the resolution of the
17 case up to a maximum of 10." Patent Local Rule 4-3(c). The Court will reserve no more than two
18 hours on its calendar for the claim construction hearing, including a brief recess. The Court
19 prefers that the parties proceed term-by-term, with each party providing its views on each term
20 before moving on to the next. The Court's use of time limits means that the parties may not have
21 the opportunity to present oral argument on every term they have submitted for construction, and
22 the parties should prioritize their presentations accordingly.

23 The parties must take all necessary steps to conduct discovery, compel discovery, hire
24 counsel, retain experts, and manage their calendars so that they can complete discovery in a timely

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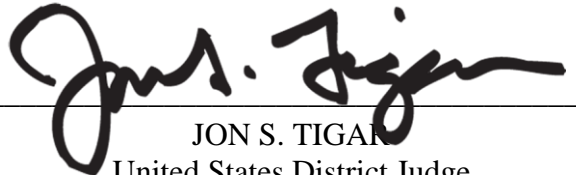
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manner and appear on the noticed and scheduled dates. All counsel must arrange their calendars to accommodate these dates, or arrange to substitute or associate in counsel who can.

IT IS SO ORDERED.

Dated: March 1, 2022



JON S. TIGAR
United States District Judge

United States District Court
Northern District of California